

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

Plaintiff,

v.

CHRISTOPHER H. McCOY,

Defendant.

No. 11-CR-30076-DRH-1

MEMORANDUM & ORDER

HERNDON, District Judge:

Pending before the Court is Christopher H. McCoy's motion under 18 USC § 2518(10) to Suppress Evidence (Doc. 50). On January 27, 2012, defendant was sentenced to a total of 327 months on Count 1 (Enticement of a Minor), Count 2 (Distribution of Child Pornography), Count 3 (Transfer of Obscene Matter to a Minor), Count 4 (Receipt of Child Pornography), and Count 5 (Possession of Child Pornography) (Doc. 31). Judgment was entered the same day (Doc. 33).

Once a district court enters final judgment it lacks jurisdiction to continue to hear related issues, except to the extent authorized by statute or rule. *See Carlisle v. United States*, 517 U.S. 416 (1996). Here, defendant asks the Court to suppress "recordings of the Internet communications produced for this case" (Doc. 50). However, no applicable statute or rule authorizes the Court to consider his pending motion. Judgment was entered in this case over five years ago. Further, a motion to suppress evidence must be filed prior to trial. Fed.R.Crim.P.

12(b)(3)(C), meaning this motion is clearly untimely . Thus, the Court lacks jurisdiction to entertain the motion.

Accordingly, the Court **DISMISSES for want of jurisdiction** defendant's motion to suppress (Doc. 50).

IT IS SO ORDERED.

Signed this 13th day of July, 2017.

David R. Herndon



Digitally signed by
Judge David R. Herndon

Date: 2017.07.13

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United States District Judge